

ORDINANCE 2020- 15

**AN ORDINANCE OF THE BOARD OF
COMMISSIONERS OF WARRICK COUNTY, INDIANA,
ADOPTING A NEW CHAPTER REGARDING NON-DISCRIMINATION**

WHEREAS, pursuant to Ind. Code 36-1-3-4, Warrick County, Indiana is authorized to exercise all powers not expressly granted by statute that are otherwise necessary or desirable in the conduct of its affairs.

WHEREAS, the Board of Commissioners of Warrick County, Indiana, finds that the practice of denying equal opportunities in employment, access to and use of public facilities, government contracting, and/or other programs or activities related to the public services available to the residents of Warrick County based on race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service veteran status is contrary to the principles of freedom and equality of opportunity and is harmful to the welfare of its citizens; and

WHEREAS, the Board of Commissioners of Warrick County desires to better serve the residents of Warrick County by adding a new chapter to the Warrick County, IN Code of Ordinances prohibiting discriminatory practices as described in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, that Chapter 11 is heretofore added to the Warrick County, IN Code of Ordinances as follows:

CHAPTER 11. NON-DISCRIMINATION

§ 11.01 PURPOSE AND INTENT

It is the purpose of this Chapter to provide to all Warrick County citizens the equal opportunity for employment for County jobs, access to public facilities, contracts entered into by the County, and/or other activities necessarily related to the public services available to County citizens without regard to race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service veteran status.

§ 11.02 DEFINITIONS

The following terms, whenever used in this Chapter, shall be construed as defined in this Section:

- (A) "Disability" means "disability" as that term is defined in the Americans with Disabilities Act (the "ADA"), as may be amended from time to time, and as that

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definition may be interpreted by Federal courts. To the extent that the ADA would require a person to be a “qualified individual with a disability” in order to be protected from a specific form or type of discrimination under the ADA, then the same is true with respect to this Chapter.

- (B) “Gender Identity” means a person’s actual or perceived gender-related attributes, self-image, appearance, expression, or behavior, whether or not such characteristics differ from those traditionally associated with the person’s assigned sex at birth.
- (C) “Government Contract” means any contract or agreement between Warrick County and a Person, including those that are entered into pursuant to, and in accordance with the requirements of, Chapter 31.08 of the Warrick County, IN Code of Ordinances.
- (D) “Person” means one or more individuals, partnerships, associations, organizations, labor organizations, corporations, cooperatives, legal representatives, trustees in bankruptcy, trustees, receivers, governmental agencies and departments, including, without limitation, Warrick County and any of its departments, offices, and/or other organized groups.
- (E) “Public Facility” means any facility or establishment, other than an educational institution, which is owned, operated, or managed by, or on behalf of, Warrick County.
- (F) “Public Services” means any service offered by Warrick County to the general public in the course of business as a governmental unit.
- (G) “Sexual Orientation” means male or female sexuality, real or perceived, by orientation or practice.

§ 11.03 DISCRIMINATORY PRACTICES PROHIBITED

Warrick County, and/or any of its offices or departments, shall be prohibited from denying, excluding from, or failing or refusing to extend any Person, equal opportunities in:

- (1) Employment as an employee of Warrick County;
- (2) Access to and use of Public Facilities;
- (3) Awarding of Government Contracts; or
- (4) Other programs or activities relating to the Public Services available to the residents of Warrick County;

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on the basis of such person's race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service veteran status.

§ 11.04 NON-DISCRIMINATION CLAUSES

- (A) In each contract to which Warrick County, or any board, office, or department of the County, is one of the executing parties, Warrick County shall ensure that such contract shall contain a provision requiring the governmental contractor and subcontractors not to discriminate against any employee or applicant for employment in the performance of said contract, with respect to hiring, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service veteran status. Breach of such provision may be regarded as a material of breach of said contract.
- (B) Warrick County shall ensure that all applications, postings, announcements, and/or advertisements recruiting for employment with Warrick County shall conspicuously include the prompt that reads as follows:

“An Equal Employment Opportunity Employer.”

This Ordinance is passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 13TH day of JULY, 2020.

BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA



Dan Saylor, President



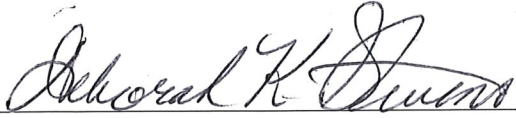
Robert H. Johnson, Jr., Vice President



Terry J. Phillippe, Member

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ATTEST:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



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